

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Kiyoshi MURAKAMI

Title:

SUBSTRATE INSPECTING METHOD AND SUBSTRATE INSPECTING

APPARATUS USING THE METHOD

Appl. No.:

10/786,468

Filing Date:

02/26/2004

Examiner:

ARBES, Carl J

Art Unit:

3729

## **RESPONSE TO RESTRICTION UNDER 35 USC § 121**

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In response to the restriction requirement under 35 USC § 121 set forth in the Office Action dated 07/05/2005, Applicants elect the invention of Group I claims 1-7, for the purposes of examination.

The right to file a divisional application covering the subject matter of any nonelected claim or claims, is reserved.

If any extensions of time are needed for timely acceptance of this paper, Applicant hereby petitions for same under 37 CFR §1.136 and authorizes payment of any such extensions fees and/or any additional fees required in connection with this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741.

Date: July 26, 2005

**FOLEY & LARDNER LLP** Customer Number: 22428 Telephone: (202) 672-5485 Facsimile:

(202) 672-5399

Respectfully submitted,

William T. Ellis Attorney for Applicant Registration No. 26,874

Keith J. Townsend Registration No. 40.358